

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NOVOZYMES A/S and
NOVOZYMES NORTH AMERICA, INC.,

MEMORANDUM

Plaintiffs,

10-cv-251-bbc

v.

DANISCO A/S,
GENECOR INTERNATIONAL WISCONSIN, INC.,
DANISCO US INC. and DANISCO USA INC.,

Defendants.

A preliminary injunction hearing is scheduled for September 17, 2010, in this case for patent infringement. Defendants have filed a letter in which they wish to confirm that “the declarations that the parties file in connection with their pre-hearing briefs will not be rejected for hearsay reasons even though the declarants do not appear live at the hearing.” Dkt. #68. I have no objection to this. In deciding the motion for a preliminary injunction, I will consider written testimony submitted by the parties along with any live testimony presented at the hearing.

In addition, defendants ask whether the hearing will be limited to three hours. Defendants are correct that I anticipated that the hearing could be completed in that amount

of time. If either side believes more time is needed, they should notify the court. The parties are free to use the hearing to present an oral argument, examine witnesses or both.

Entered this 27th day of August, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge